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Letter dated 22 June 2006 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

The Counter-Terrorism Committee has received the attached report from El Salvador submitted pursuant to resolution 1624 (2005) (see annex). I would be grateful if you could arrange for the present letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Ellen Margrethe **Løj**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

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Annex

Letter dated 15 June 2006 from the Chargé d'affaires a.i. of the Permanent Mission of El Salvador to the United Nations addressed to the Chairman of the Counter-Terrorism Committee

[Original: Spanish]

I refer to your note dated 4 April 2006, in which you request information on the implementation by El Salvador of the provisions of resolution 1624 (2005) on additional counter-terrorism measures.

In this connection, the Permanent Mission has the honour to transmit for your information and for appropriate use the report of the Republic of El Salvador on this subject (see enclosure).

(*Signed*) César **Martínez**
Ambassador, Deputy Permanent Representative
Chargé d'affaires a.i.

Enclosure

Report of the Republic of El Salvador on the implementation of Security Council resolution 1624 (2005)

June 2006

Paragraph 1

1.1 What measures does El Salvador have in place to prohibit by law and to prevent incitement to commit a terrorist act or acts? What further steps, if any, are under consideration?

El Salvador is a party to 11 of the 13 United Nations international instruments on terrorism and is close to ratifying the Convention on the Physical Protection of Nuclear Material and the International Convention for the Suppression of Acts of Nuclear Terrorism. It is also a party to the Inter-American Convention against Terrorism.

At the regional level, El Salvador is a party to the Framework Treaty on Democratic Security in Central America, which refers to counter-terrorism, in particular in articles 1, 11 and 18.

With regard to national legislation, article 10 of the Penal Code establishes the principle of universality. Article 343 punishes terrorist acts, which are considered as activities of organized crime (article 22 A) and article 344 deals with incitement or conspiracy to commit terrorist acts. The Penal Code deals with unlawful association (article 345), international criminal organizations (article 370), advocacy of crime (article 349) and incitement and conspiracy to commit the crime of aggravated homicide (article 129 A).

In addition, in order to bring national legislation into line with the various international instruments on terrorism, the Inter-Agency Group against Terrorism (established in El Salvador in accordance with Security Council resolution 1373 (2001)), with the support of the United Nations and the Organization of American States (OAS), has drafted legislation on terrorist acts, which has already been submitted to the legislature for analysis and approval.

1.2 What measures does El Salvador take to deny safe haven to any persons with respect to whom there is credible and relevant information giving serious reasons for considering that they have been guilty of incitement to commit a terrorist act or acts?

El Salvador has ratified the 1951 Convention relating to the Status of Refugees and the related Protocol of 1967. Article 1, section F, paragraph (a), of the Convention specifies that refuge shall not be granted to any person who has committed a crime against peace, a war crime or a crime against humanity.

At the national level, the Act on Determination of Refugee Status has been in force since August 2002 and states that its provisions are not applicable to persons with respect to whom there are serious reasons for considering that: they have committed a crime against peace, a war crime or a crime against humanity, as defined in the secondary laws of the Republic of El Salvador and in the international instruments drawn up to make provision in respect of such crimes; they have committed a serious non-political crime outside the country of refuge prior to

admission to that country as a refugee, and they have been guilty of acts contrary to the purposes and principles of the United Nations.

Paragraph 2

1.3 How does El Salvador cooperate with other States in strengthening the security of its international borders with a view to preventing those guilty of incitement to commit a terrorist act or acts from entering their territory, including by combating fraudulent travel documents and, to the extent attainable, by enhancing terrorist screening and passenger security procedures?

Under the Constitution, the Government is required to monitor migration through the Ministry of the Interior and uses for this purpose a series of legal instruments enabling it to ensure the security of its borders. With a view to bringing national legislation into line with international requirements, new legislation on migration and alien status has been drafted, which is currently under study in the Department of Legal and Legislative Affairs of the Office of the President of the Republic and will then be submitted to the Legislative Assembly.

Mention should also be made of the Inter-Agency Group against Terrorism, composed of various government bodies and agencies, with the participation of the Directorate of Migration and Alien Status, created in order to upgrade technical counter-terrorism skills with a view to ensuring border security.

1.4 What international efforts is El Salvador participating in or considering participating in/initiating in order to enhance dialogue and broaden understanding among civilizations in an effort to prevent the indiscriminate targeting of different religions and cultures?

Within the framework of the Plan Puebla Panamá (PPP), El Salvador participates in the Advisory Group on Indigenous and Ethnic Participation, composed of the Governments and indigenous peoples of the eight countries participating in the Plan.

This Group was established in June 2003, after the Executive Commission of the Plan Puebla Panama had emphasized the importance of ethnic groups as leading actors in society and decided to establish a regional group of specialists in indigenous affairs.

The Advisory Group has been formally established and assumed responsibility for proposing strategies for defining regional and national participation and representation mechanisms, based on the presidential agreements reached at the Third Summit of Heads of State and Government of the Tuxtla Mechanism for Dialogue and Concertation.

The Advisory Group's priority is to encourage the participation of indigenous peoples and ethnic communities in the design, follow-up and evaluation of PPP programmes and projects, in order to promote a broader and more inclusive dialogue with all sectors of the population.

It is coordinated by the Office of the Acting President of the PPP Executive Commission, supported by the Technical Secretariat.

Since its establishment, the Advisory Group has engaged in various activities, including two development forums, various Executive Commission meetings, eight meetings of the Group and consultations in each country concerned.

Since 1942, El Salvador has been a member of the Inter-American Indian Institute, which has been working (since 1953) as an OAS specialized organ dealing with indigenous issues. The basic objectives of the Inter-American Indian Institute (IAII), created under the 1940 Pátzcuaro International Convention, are to assist in coordinating the Indian affairs policies of the member States and to promote research and training of individuals engaged in the development of indigenous communities.

In this connection, El Salvador is also a member of the Fund for the Development of the Indigenous Peoples of Latin America and the Caribbean (Indigenous Peoples' Fund), approved at the Second Ibero-American Summit of Heads of State and Government (Madrid, 23 and 24 July 1992). The Fund was established by a multilateral agreement signed at the Madrid Summit by the member countries of the Ibero-American community.

The Fund has two very important programmes designed to prevent discrimination and intolerance towards indigenous peoples and to promote a more participatory dialogue with them:

1. The programme of identity-oriented development, which is a platform for encouraging, creating and supporting development initiatives using an identity approach, which is more relevant and suitable to indigenous peoples. The goal is development based not only on meeting needs and surviving poverty but also on the full exercise of rights and well-being to create sustainable and intercultural economies.

2. The rights programme, which promotes the fulfilment, promotion and creation of indigenous peoples' rights. The goal is to have a series of activities creating a solid platform to guarantee the full exercise of these rights at the regional level.

1.5 What steps is El Salvador taking to counter incitement of terrorist acts motivated by extremism and intolerance and to prevent subversion of educational, cultural and religious institutions by terrorists and their supporters?

El Salvador is implementing values training programmes, with the aim of preventing any act of intolerance in schools or any other institution.

The training is being provided by the Ministry of Education, with the following objectives: to broaden and enhance values training at the various levels and in the various sectors and areas of the national education system; and to promote participation by the academic community in activities and experiments to promote daily adherence to values that can and must be shared in society.

The focus of the programme is: promotion of self-esteem as the basis of respect for oneself, for others, and for nature, the national heritage and things; development of the imagination and of creativity as a basis for the development of the individual and of society; promotion of accountability of the individual and of society; emphasis on the value or virtue of perseverance, through the development of other values and virtues including determination, constancy, responsibility and order; development of human skills through the encouragement of art, culture and sports and the development of an ongoing training programme for heads of schools and teachers with emphasis on values training.

Values training programmes are designed to create opportunities for members of the academic community to cultivate ways of being, feeling and acting that

dignify us as persons and as members of a community. The main values training programmes are:

(a) Values education at school

(b) Environmental education

(c) Gender-sensitive education

(d) Programmes of support for values training

- Games and competitions
- Physical education and sports
- Preventive programmes

(e) Infrastructure and school maintenance

(f) Secondary education reform

(g) Technical education system (secondary and higher)

(h) Supervision and evaluation of higher education.

There is also a programme called "Strengthening values", launched in January 2000 at the initiative of the Ministry for the Family. Key media were invited to form an alliance that would work to strengthen and promote values in society. As a result, a radio spot was broadcast and a weekly column published.

In addition, from August to December 2003, a special "Collection of Values" project was implemented in conjunction with the newspaper *El Diario de Hoy*, consisting in the publication of 20 collectible pull-out sections on values. In connection with this project, a collection of these sections was published and distributed as the "Book of Values". As part of the programme, an annual publicity campaign is conducted on the topic. The "Book of Values" also included topics such as: solidarity, tolerance, respect, prudence, generosity, responsibility, friendship, perseverance, loyalty, honesty, humility, strength, gratitude, kindness, justice, industriousness and peace.

The Book contains basic definitions of values, history, fables, short stories and famous quotations; it also gives profiles of people and institutions whose life and work are worthy illustrations of values to be espoused. This compendium was distributed in two stages: first to 461 education centres in the rural and marginal urban area in the 14 departments of El Salvador; and then to 1,545 education centres in the country's 14 departments, which are part of the Healthy School Programme.

The "Book of Coexistence" was also produced, through the alliance between the National Secretariat for the Family and *El Diario de Hoy*. Thanks to this alliance 15 glossy pamphlets were published without charge, containing advice and basic rules of behaviour designed to inculcate in readers human values of a universal character. Among the pamphlet titles, mention may be made inter alia of: "Punishing without ill-treatment", "Non-violence" and "Saying sorry". The actions to promote and preserve values were geared to urban and rural inhabitants throughout the country, especially children, young people and families.

Paragraph 4

1.6 What is El Salvador doing to ensure that any measures taken to implement paragraphs 1, 2 and 3 of resolution 1624 (2005) comply with all of its obligations under international law, in particular international human rights law, refugee law and humanitarian law?

El Salvador is complying faithfully with its international commitments in the areas of human rights law, international humanitarian law and refugee law. In this connection, those who apply and enforce the law in these areas of international law are trained and sensitized in order to balance counter-terrorism with respect for international obligations.